



**THE CITY OF NEW YORK
LAW DEPARTMENT**

100 CHURCH STREET
NEW YORK, NY 10007

ZACHARY W. CARTER
Corporation Counsel

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 11-5-2015
--

MATTHEW J. MODAFFERI
Senior Counsel
Phone: (212) 356-2331
Fax: (212) 356-3509
mmodaffe@law.nyc.gov

November 2, 2015

BY ECF and FIRST CLASS MAIL

Honorable Laura T. Swain
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

MEMO ENDORSED

Re: Derrick Marcus v. City of New York, et al., 14 Civ. 3296 (LTS)

Your Honor:

I am an attorney in the office of Zachary W. Carter, Corporation Counsel of the City of New York, representing Defendant City of New York in the above-referenced matter. I submit this status report on behalf of all the parties.

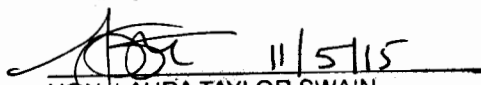
The Bronx District Attorney's Office has not yet concluded its investigation into the conduct of the police officers in this matter. The parties anticipate that the investigation will conclude shortly. Once completed, this office can make representation decisions, gather the relevant files and documents, and otherwise proceed with this litigation in an expeditious manner.

Accordingly, the parties respectfully request that the pending stay be continued until December 18, 2015, at which point the parties will submit a further status letter regarding the outcome of the investigation.

Thank you for your consideration herein.

The request is granted.

SO ORDERED:


HON. LAURA TAYLOR SWAIN
UNITED STATES DISTRICT JUDGE

Respectfully submitted,

/s/

Matthew J. Modafferi
Senior Counsel
Special Federal Litigation Division

cc: Gabriel Harvis, Esq. (By ECF)